

ENTERED

April 11, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONKRISTAN KRUEGER and
CALEB HAYSLIP,

Plaintiffs,

VS.

AH4R MANAGEMENT-TX, LLC and
APR 2014-1 BORROWER, LLC,

Defendants.

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Civil Case No. 4:22-CV-03867

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the March 15, 2023 Report and Recommendation ("R&R") prepared by Magistrate Judge Peter Bray. (Dkt. No. 16). Magistrate Judge Peter Bray made findings and conclusions and recommended that, because Defendants cannot show that complete diversity of citizenship existed when the case was filed or at the time of removal, this case be remanded to state court. (Dkt. No. 15).

The Parties were provided proper notice and the opportunity to object to the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

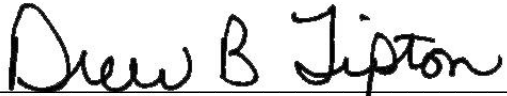
Accordingly, the Court accepts the R&R and adopts it as the opinion of the Court. It is therefore ordered that:

- (1) Magistrate Judge Peter Bray's R&R (Dkt. No. 16) is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and

- (2) This case is remanded to the 333rd Judicial District Court of Harris County, Texas.

It is SO ORDERED.

Signed on April 10, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE